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File: 1001.17

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I hereby certify that this correspondence is being deposited by me with the United States Postal Service as FIRST CLASS MAIL, in an envelope addressed to MAIL STOP DD, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450, on the following date: April 26, 2004.

  
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MAIL STOP DD  
Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RE: *U.S. Patent Application Serial No. 10/757,004;*  
*Entitled: "APPARATUS HOLDER FOR HATS";*  
*Inventors: Russell Earl Morris and Gregory J. Collins.*

Sirs:

Enclosed for filing in the above-mentioned application is:

- (1) An Information Disclosure Statement;
- (2) A Form PTO-1449 listing references A1-A12;
- (3) A postcard. Please date stamp and return the enclosed postcard to evidence receipt of these materials.

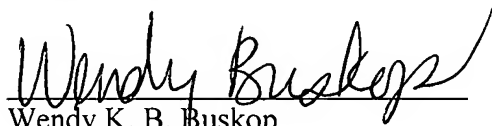
## **BUSKOP LAW GROUP, P.C.**

Information Disclosure Transmittal  
Application Serial No. 10/757,004

April 26, 2004  
Page 2 of 2

No fees are believed to be due in connection with these materials. However, the Commissioner is hereby authorized to any deficiencies to Deposit Account No 50-1313 in the name of Buskop Law Group. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wendy Buskop", written over a horizontal line.

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## PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morris, et. al.

Group Art Unit: 3634

Serial No.: 10/757,004

Examiner: Not Assigned

Filed: January 14, 2004

For: Apparatus Holder for Hates

Atty Dkt No.: 1001.17

#### CERTIFICATE OF MAIL

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*Wendy K. B. Buskop*  
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#### MAIL STOP DD

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### INFORMATION DISCLOSURE STATEMENT

Sir:

- I. Applicants hereby submit an Information Disclosure Statement and enclose a Form PTO-1449 listing references for consideration by the Examiner. Copies of the References are not enclosed.
- II. Applicants hereby request the Examiner to consider each cited reference. As required under 37 C.F.R. § 1.98(a)(3)(i), the following are concise explanations of the relevance of each reference, as they are presently understood:

REFERENCE A1 (US 5,422,686 – Kelman): “A detachable eyeglass assembly for a visored headgear includes a clip for removable attachment to the visor. The clip is adopted to extend from one side edge to the other side edge of the visor perpendicular to the wearer's frontal line of vision, and the visor is gripped or frictionally retained at its opposite side edges by the clip. An eyeglass member having a transparent portion connects to the clip by pivot means so as to be able to tilt up out of the user's line of vision. The length of the clips between the ends that grasp the side edges of the visor, is adjustable whereby the distance between the sunglass member and the user's eyes is selectable. The detachable sunglass assembly is useable on a variety of visored headgear.”

REFERENCE A2 (US 5,412,812 - Gatchalian): “The present invention relates to a detachable eyeshield attachment (10) for visor caps or the like comprising a clip-type mounting base (12) removably attached at the underside rear portion of a cap visor (15) or hat brim, a pivotable eyeshield holder (13) with an eyeshield (28) fixedly secured thereto, being hinged and clipped by the base (12) such that the holder (13) is capable of being controllably gripped or locked in place by the action of an adjustable actuating means (14) for flexedly tightening or loosening both arms (16) and (17) of the base.”

REFERENCE A3 (US 5,208,916 – Kelman): “A sunglass assembly for attachment to a headgear includes mounting means for removable attachment to the front of the headgear at a visor, brim or the like. A pair of parallel rail means attach to the mounting means and extend in the direction of the wearer's frontal line of vision. A sunglass member has a tinted transparent portion for viewing therethrough, is connected to slides which frictionally and slidably engage the rail means. The sunglass member is pivotably attached to the slides and is able to translate along the rails toward and away from the user and to tilt up out of the user's line of vision.”

REFERENCE A4 (US 5,129,102 – Solo): “A cap provided with removal flip up and down glasses including a mounting member for positioning the flip up and down glasses on an outwardly extending visor of the cap. Attachment members pivotally secure a pair of lenses of the flip up and down glasses to the mounting member so that the glasses can be flipped up to a first position adjacent to the visor and also flipped down to a second position so that the lenses

are disposed at a proper eye level for a person wearing the cap. Preferably, the lenses are removable from the attachment members. Separable fasteners are disposed between the visor and the mounting member for removably securing the visor and the mounting member together. One portion of the fasteners is secured on an underside of the visor and another mating portion of the fasteners is secured to an upper surface of the mounting member. Preferably, the mounting member is tapered so that the front edge is thicker than a rear edge thereof, where the mounting member can be fabricated from a rigid or flexible plastic material. In a modified form, a transversely disposed hinge is provided between adjacent parts of the mounting member to permit the parts to pivot relative to each other when opposite sides of the visor are folded towards each other.”

REFERENCE A5 (US 4,819,274 – Day): “A cap including a detachable eye shield adjustably mounted on a mounting block which is removably engaged in a dovetail groove formed on the central portion of the under side of the visor member of the cap. A shaft member disposed on the upper frame of the eye shield is pivotally snap-engaged in the holder portion of the mounting block whereby the eye shield can be raised up and down relative to the visor member. By pushing the mounting block back and forth along the dovetail groove the eye shield can be moved to adjust the distance relative to the eyes.:

REFERENCE A6 (US 4,541,125 – Philips): “An eyeglasses apparatus for attachment to a cap visor; the apparatus comprises two main parts, including a clip part which is selectively removably attachable to a cap visor and a main eyeglasses part which is hingedly engageable with a member of the clip part. The main eyeglasses part is integrally molded in a unitary construction, and preferably comprises either sunglasses or safety glasses. When the apparatus is attached to a cap visor, the main eyeglasses part can be readily pivotably moved between an operative position wherein the user's eyes are shielded and an inoperative position wherein the main eyeglasses part is disposed adjacent the underside of the cap visor.”

REFERENCE A7 (US 4,304,005 – Danley, Sr.): “A device for attaching a variety of various eye shields or spectacles, safety shields or the like to a cap which allows for variable adjustment in the location of the spectacles with respect to the cap, removeable attachment, and two position

up-down positioning of the eye shield comprising one or more wire frames which are attached by upper and lower velcro strips to a cap visor, the frame having a pair of clips which attach the eye shield or spectacle to the frame. Each frame is formed from a light weight unitary wire that allows for frictionally holding the eye shield in an up or down position relative to the wearer and wearer's vision. The base of the frame is removeably attached to the cap by a fabric fastener such as velcro which is attached in layers to the lower side of the visor and by an additional strip that goes over the base of the frame. A variety of eye shields, lenses, sunglasses, or the like can be readily detached or interchanged with each frame or frames.”

REFERENCE A8 (US 2,691,164 – Feldman): “This invention relates generally to the combination of headwear with eyeshields attached thereto. “

REFERENCE A9 (US 2,560,669 – Vaca): “This invention relates to an eyeshield and it has to do more particularly with an attachment for a cap or the like in the form of an eyeshield which can be easily and quickly manipulated to its operative and inoperative positions.”

REFERENCE A10 (US 2,519,959 – Fisher): “My invention relates to eye shields of the kind adapted for use in shielding the eyes from the brilliant rays of the sun and other high power lights and has for its object to produce an eye shield that may be produced to clip to a brim of a hat or clipped to a peak of a cap and to be easily removable so as to be carried in the pocket when not in use.”


REFERENCE A11 (US 1,514,111 – Sutton): “This invention relates to eye protectors such as workmen and other use, and has as one of its objects to provide an eye protector that may be placed at any angle before the eyes, thus being of great value where flying particles may endanger the eyes.”

REFERENCE A12 (US 1,228,341 – Maynard): “The present invention relates to an improvement in eye shields and has for an object the provision of a device of this nature, which is readily attachable to hats and caps of various forms, and which, when applied to a hat or cap, may be quickly and easily adjusted into any one of three positions according to the demands

required; and which may be detached and folded into compact form to fit in the pocket or other confined place.”

III. No fees are believed to be due in connection with these materials. This Information Disclosure Statement is being filed prior to receipt of an official Office Action.

Date: April 26, 2004

  
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Form PTO 1449		U.S. Department of Commerce Patent and Trademark Office		Serial No.: 10/757,004		Group Art Unit: 3634		
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Filing Date: January 14, 2004				
				Applicant(s): Russell Earl Morris and Gregory J. Collins				
				Atty. Docket No.: 1001.17				
A REFERENCE - U.S. PATENT DOCUMENTS								
Document Number	Examiner Initial*	Patent Number	Date	Name	Class	Sub Class	Filing Date If Appropriate	
A1		5,422,686	06/06/95	Kelman	351	155	05/10/93	
A2		5,412,812	05/09/95	Gatchalian	2	10	11/23/93	
A3		5,208,916	05/11/93	Kelman	2	10	08/17/92	
A4		5,129,102	07/14/92	Solo	2	10	07/22/91	
A5		4,819,274	04/01/89	Day	2	10	12/14/87	
A6		4,541,125	09/17/85	Phillips	2	10	08/19/83	
A7		4,304,005	12/08/81	Danley	2	10	06/26/80	
A8		2,691,164	10/12/54	Feldman	2	10	12/04/50	
A9		2,560,669	07/17/51	Vaca	2	10	02/12/48	
A10		2,519,959	08/22/50	Fisher	2	10	04/13/48	
A11		1,514,111	11/04/24	Sutton	2	10	01/20/23	
A12		1,228,341	05/29/17	Maynard	2	10	02/09/16	
B REFERENCE - FOREIGN PATENT DOCUMENTS								
Document Number	Examiner Initial*	Patent Number	Date	Country	Class	Sub Class	Translation	
							Yes	No
B1								
C REFERENCE - OTHER DOCUMENTS (Including Author, Title, Date, Pages, Etc.)								
Document Number	Examiner Initial*	Other Documents Citation						
C1								
Examiner:				Date Considered:				
*Examiner:		Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.						